

The Law Offices of Jacob Aronauer

September 11, 2023

Via ECF

Hon. Mary Kay Vyskocil
Southern District of New York
United States District Court

Re: *Pedraza v. Manhattan Monster Inc. et al.*
23-cv-02596 (MKV)

Dear Your Honor:

This office represents Plaintiff. This serves in response to Defendants' letter to the Court.

The mediation for last month was not confirmed by Defendants nor the mediator despite an e-mail from me requesting confirmation. As they did not confirm, we did not go to the mediation. In any event, it is difficult for me to see how this failed mediation impacted not only the ability to submit paper discovery but, in addition, such a belated extension request to the Court. Nonetheless, I agreed to every single extension request sought by Defendants even though I thought that they were extreme. Accordingly, I do not understand why Defendants are making unnecessary attack at me as I agreed to everything that they wanted.

I would politely note that Defendants did not timely respond to being served with the complaint and, in addition, did not ask the Court for an extension nor did they request that the court vacate the certificates of default issues. So it appears that there is a pattern.

It is my hope that moving forward Defendants' counsel and I can have a strong working relationship.

Respectfully,

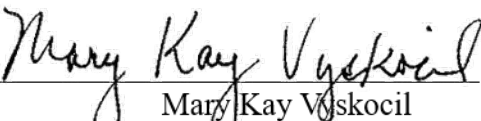
/s Jacob Aronauer
Jacob Aronauer
Attorney for Plaintiff

The Court has received several letter from the parties regarding failure to advance discovery and failure of the Court-ordered mediation to occur. The parties are instructed to jointly reach out on or before September 18th, 2023 to the assigned mediator Mr Richard Javney for mediation. The parties shall file a joint report on or before October 2nd detailing the status (but not substance) of settlement discussion. Discovery shall proceed simultaneous with mediation. The fact discovery deadline is extended to November 15th 2023. There will be no further extensions absent good cause. Failure to comply with discovery obligations and other orders of the Court may result in sanctions, including potentially preclusion of evidence and/or dismissal of claims and defenses.

The Court expects counsel to cooperate professionally and civilly with respect to the conduct of this case. The parties should familiarize themselves with and comply with the Court's Individual practice rules and cease filing unauthorized letter on the docket or with the Court. The Clerk of the Court is respectfully requested to close the motions at ECF #30 and #31.

SO ORDERED.

Date: 9/13/23
New York, New York


Mary Kay Vyskocil
United States District Judge